

Notice of Allowability

Application No.

09/914,494

Examiner

Lorna M. Douyon

Applicant(s)

ARNAU ET AL.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed March 28, 2006.
2. ☒ The allowed claim(s) is/are 17, 19-20, 23-30 renumbered 1-11 respectively.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

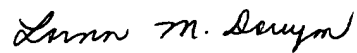
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 2/24/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Lorna M. Douyon
Primary Examiner
Art Unit 1751

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 28, 2006 has been entered.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark A. Charles on April 3, 2006.

3. The application has been amended as follows:

In the claims:

2.1. In claim 17:

- a) line 7, "MG₂EDDS" has been replaced with -- Mg₂EDDS-- (support is found on page 10, line 13;
- b) line 7, "pentacetic" has been replaced with --pentaacetic--;
- c) line 9, "organic phosphonates;" has been deleted;

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d) line 10, "alkali metal ethane 1-hydroxy diphosphonates;" has been deleted;

e) line 12, "P-alanine-N,N-diacetic" has been replaced with -- β -alanine-N-N'-diacetic--

(support is found on page 10, line 21).

2.2. Claim 21 has been canceled.

2.3. In claim 27:

a) line 1, "Claim 17" has been replaced with --Claim 26--;

b) lines 1-2, the phrase "coating consists essentially of" has been replaced with --dicarboxylic acid is--.

In the specification:

2.1. On page 1, line 5 of the specification, the following has been added:

--This application is a 371 of PCT/US00/05985 filed March 8, 2000 which claims priority under 35 USC 119 to European Application Serial Number 99870043.9, filed March 12, 1999 and European Application Serial Number 99870082.7, filed April 30, 1999.--

STATEMENT OF REASONS FOR ALLOWANCE

4. The following is an examiner's statement of reasons for allowance:

The claims in their present amended forms have overcome each of Salager and Creed, the closest prior art of record. Salager, as it applies to the present amended claims, even though teaching detergent tablets comprising clay (see page 4, lines 14-21), perfumes (see page 9, lines 51-53), builders which include alkali metal salts of polyacetic acids such as ethylenediamine tetraacetic acid and nitrilotriacetic acid (see page 6, lines 35-38) and phosphonate builders such

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as ethane-1-hydroxy-1,1-diphosphonate (see page 7, lines 1-2), and a coating of C2-C13 dicarboxylic acids like adipic acid (see page 3, lines 44-48), fails to teach, disclose or suggests a heavy metal ion sequestrant coating as those recited. There is also seen no motivation, direction or guidance in Salager to incorporate the phosphonate builders in the coating. Creed, the other prior art of record, although teaching cleaning tablets coated with water soluble coatings like inorganic sequestering agents (see col. 4, lines 50-67), none of the coatings of Creed read on the heavy metal ion sequestrant coating as those recited. Baillely et al., (US Patent No. 5,780,410), a newly found art, teaches a granular detergent composition comprising alkali metal percarbonate which is coated with carbonate/sulphate which may include a low level of a heavy metal sequestrant such as 1-hydroxyethylidene 1,1-diphosphonic acid (HEDP) or an aminophosphonate (see abstract; col. 2, lines 27-50). Inasmuch as the heavy metal sequestrant of Baillely is for coating percarbonate in a granular detergent composition, there is seen no motivation, direction, or guidance in coating a detergent tablet with such heavy metal sequestrant. Accordingly, the subject matter, as whole, would not have been obvious to one of ordinary skill in the detergent art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lorna M. Douyon whose telephone number is (571) 272-1313.

The examiner can normally be reached on Mondays-Fridays from 8:00AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas McGinty can be reached on (571) 272-1029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Lorna M. Douyon
Primary Examiner
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